

REMARKS/ARGUMENTS

Upon entry of the above amendment, claims 3-10 are pending in the application. Claims 1 and 2 have been canceled without prejudice to the subject matter contained therein. Claims 3, 5, and 7-9 have been withdrawn due to restriction requirement. Claims 4, 6 and 10 are ready for examination. No new matter has been added.

Restriction Requirement

The Examiner has set forth a Restriction requirement.

Group I, claims 4, 6 and 10, drawn to a method of treating heart failure with S1P receptor agonist.

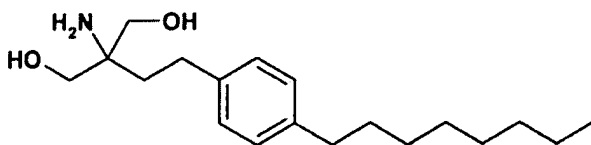
Group II, claims 3, 5 and 7-9, drawn to a composition comprising S1P receptor agonist of formulas I-VI.

Applicants are required to elect a formula and a specific compound.

Election

Applicants apologize for the confusion concerning the election of Group I in the prior response. Applicants elect Group I which is directed to a method of treating heart failure with a S1P receptor agonist.

Applicants elect a species from formula I (page 8).




2-Amino-2-[2-(4-octyl-phenyl)-ethyl]-propane-1,3-diol

FTY720

Should the Examiner have any questions, please contact the undersigned attorney.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Mark W. Milstead', is written over a horizontal line.

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